

AMENDED IN ASSEMBLY JANUARY 4, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1225**

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**Introduced by Assembly Member De La Torre**

February 27, 2009

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~~An act to add Section 12018.5 to the Government Code, relating to energy efficiency. An act to add Section 8607.5 to the Government Code, relating to emergency services.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1225, as amended, De La Torre. ~~Energy efficiency: federal funds.~~  
*Emergency and disaster response exercises: infectious diseases.*

*(1) The California Emergency Services Act sets forth the duties of state and local agencies in emergency and disaster preparedness and response generally.*

*This bill would additionally require, pursuant to the act, that the State Department of Public Health and local public health departments, when conducting emergency or disaster preparedness exercises relating to the outbreak of an infectious disease, establish a process to identify any deficiencies in the preparedness plans and procedures and track implementation of corrective measures, according to specified criteria. By imposing a new duty on local agencies, this bill would impose a state-mandated local program.*

*(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,*

*reimbursement for those costs shall be made pursuant to these statutory provisions.*

~~Existing law authorizes the Governor to designate the agency responsible for each federal program in which federal money is given to the state, with the requirement that it be handled by a single state agency, except as otherwise provided by statute. Existing law requires that when the Governor designates an agency pursuant to this authorization, the Governor notify the Joint Legislative Budget Committee of the agency designated and the federal program for which the agency was designated.~~

~~Executive Order S-20-04 and the accompanying Green Building Action Plan established an interagency Green Action Team chaired by the Secretary of the State and Consumer Services Agency, with additional members being the Director of the Department of Finance, the Secretaries of Business, Transportation and Housing, Environmental Protection, Resources, Education, and a commissioner of the Public Utilities Commission.~~

~~This bill would designate the Green Action Team as being responsible for evaluating opportunities for the state to participate in, and benefit from, the energy-related programs of the American Recovery and Reinvestment Act of 2009 and to coordinate the state's participation in any federal energy-related economic stimulus programs and the distribution of moneys for energy efficiency and renewable energy programs to specified entities.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. *It is the intent of the Legislature in enacting this*
- 2     *act to ensure that state and local agencies are as prepared as*
- 3     *possible to respond to an outbreak of infectious disease, including*
- 4     *an influenza pandemic, in the state.*
- 5     SEC. 2. *Section 8607.5 is added to the Government Code, to*
- 6     *read:*
- 7     8607.5. *The State Department of Public Health and local public*
- 8     *health departments, when conducting emergency or disaster*
- 9     *preparedness exercises relating to the outbreak of an infectious*
- 10    *disease, shall establish a process to identify any deficiencies in*
- 11    *preparedness plans and procedures and track the implementation*

1 of corrective measures to ensure that desired improvements are  
2 made to those preparedness plans. The process shall provide for  
3 at least both of the following:

4 (a) Preparation of an after-action report for each exercise  
5 conducted, to be submitted within 90 days of the exercise, or within  
6 a time period required by the terms and conditions of any federal  
7 financial assistance the State Department of Public Health or local  
8 public health department has received to prepare for an act of  
9 bioterrorism or other public health emergency. After-action reports  
10 shall include, but not be limited to, a review of identified  
11 deficiencies, a review of response actions taken, suggested  
12 modifications to plans and procedures, including, but not limited  
13 to, the standardized emergency management system required by  
14 Section 8607, and identified training needs.

15 (b) Establishing written procedures to assist in the review and  
16 consideration, and, if applicable, implementation of  
17 recommendations included in after-action reports. Implementation  
18 of the recommendations shall be at the option of the entity in  
19 question.

20 SEC. 3. It is the intent of the Legislature that the requirements  
21 of Section 8607.5 of the Government Code, as added by Section 2  
22 of this act, are to supplement and shall not be interpreted to  
23 supplant, or to prevail over, the terms and conditions of any federal  
24 financial assistance the State Department of Public Health or local  
25 public health department has received to prepare for an act of  
26 bioterrorism or other public health emergency.

27 SEC. 4. If the Commission on State Mandates determines that  
28 this act contains costs mandated by the state, reimbursement to  
29 local agencies and school districts for those costs shall be made  
30 pursuant to Part 7 (commencing with Section 17500) of Division  
31 4 of Title 2 of the Government Code.

32 SECTION 1. ~~Section 12018.5 is added to the Government~~  
33 ~~Code, to read:~~

34 ~~12018.5. The Green Action Team established as a result of~~  
35 ~~Executive Order S-20-04 shall be responsible for evaluating~~  
36 ~~opportunities for the state to participate in, and benefit from, the~~  
37 ~~energy-related programs of the American Recovery and~~  
38 ~~Reinvestment Act of 2009 and to coordinate the state's~~  
39 ~~participation in any federal energy-related economic stimulus~~  
40 ~~programs and the distribution of moneys for energy efficiency and~~

1 ~~renewable energy programs to electrical corporations and gas~~  
2 ~~corporations, as defined in Sections 218 and 222 of the Public~~  
3 ~~Utilities Code, local publicly owned electric utilities, as defined~~  
4 ~~in Section 224.3 of the Public Utilities Code, the Department of~~  
5 ~~Community Services and Development for the Low-Income Home~~  
6 ~~Energy Assistance Program, the Department of General Services,~~  
7 ~~the State Energy Resources Conservation and Development~~  
8 ~~Commission, and local governments.~~

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